

109TH CONGRESS
2D SESSION

H. R. 4732

To amend title 18, United States Code, to provide Federal penalties for killing federally funded public safety officers.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2006

Mr. PORTER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide Federal penalties for killing federally funded public safety officers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sergeant Henry
5 Prendes Memorial Act of 2006”.

6 **SEC. 2. PROTECTION OF FEDERALLY FUNDED PUBLIC**
7 **SAFETY OFFICERS.**

8 (a) OFFENSE.—Chapter 51 of title 18, United States
9 Code, is amended by adding at the end the following:

1 **“§ 1123. Killing of federally funded public safety offi-**
2 **cers**

3 “(a) Whoever kills, or attempts or conspires to kill,
4 a federally funded public safety officer while that officer
5 is engaged in official duties, or on account of the perform-
6 ance of official duties, or kills a former federally funded
7 public safety officer on account of the past performance
8 of official duties, shall be punished by a fine under this
9 title and imprisonment for any term of years not less than
10 30, or for life, or, if death results and the offender is pros-
11 ecuted as a principal, may be sentenced to death.

12 “(b) As used in this section—

13 “(1) the term ‘federally funded public safety of-
14 ficer’ means a public safety officer for a public agen-
15 cy (including a court system, the National Guard of
16 a State to the extent the personnel of that National
17 Guard are not in Federal service, and the defense
18 forces of a State authorized by section 109 of title
19 32) that receives Federal financial assistance, of an
20 entity that is a State of the United States, the Dis-
21 trict of Columbia, the Commonwealth of Puerto
22 Rico, the Virgin Islands of the United States, Guam,
23 American Samoa, the Trust Territory of the Pacific
24 Islands, the Commonwealth of the Northern Mar-
25 iana Islands, or any territory or possession of the

1 United States, an Indian tribe, or a unit of local
2 government of that entity;

3 “(2) the term ‘public safety officer’ means an
4 individual serving a public agency in an official ca-
5 pacity, as a judicial officer, as a law enforcement of-
6 ficer, as a firefighter, as a chaplain, or as a member
7 of a rescue squad or ambulance crew;

8 “(3) the term ‘judicial officer’ means a judge or
9 other officer or employee of a court, including pros-
10 ecutors, court security, pretrial services officers,
11 court reporters, and corrections, probation, and pa-
12 role officers;

13 “(4) the term ‘firefighter’ includes an individual
14 serving as an official recognized or designated mem-
15 ber of a legally organized volunteer fire department
16 and an officially recognized or designated public em-
17 ployee member of a rescue squad or ambulance crew;
18 and

19 “(5) the term ‘law enforcement officer’ means
20 an individual, with arrest powers, involved in crime
21 and juvenile delinquency control or reduction, or en-
22 forcement of the laws.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of chapter 51 of title 18, United States

- 1 Code, is amended by adding at the end the following new
- 2 item:

“1123. Killing of federally funded public safety officers”.

